

Regulations and Permitting Workgroup White Paper

2002 Recycled Water Task Force
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Regulations and Permitting Workgroup

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Workgroup Charge

- Review the laws, regulations, and regulatory agency practice pertaining to recycled water
- Suggest amendments to remove the impediments to the safe use of recycled water
- Propose uniform regulatory application of standards throughout the state

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Issues of Focus

- Lack of uniform interpretation of state standards
 - Lead: Bob Castle
- Regulation of incidental runoff
 - Lead: Cindy Megerdigian
 - Presenter: Kirk Bone
- Permitting procedures
 - Lead: Jerry Brown
- Water softeners and source protection
 - Leads: Norris Brandt, Bill Everest, Rafael Mujeriego
- Local jurisdictional conflicts
 - Kathy Fletcher

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Jurisdictional Conflicts

- Multiple parties involved
 - Recycled water producers
 - Recycled water distributors
 - Retail purveyors
 - Potable water suppliers
 - Customers (recycled water users)

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Institutional Relationship

- Contractual/legal relationship
- Issues
 - Responsibilities
 - Allocation of project costs and revenues
 - Impacts from lost potable revenue/stranded costs
 - Liabilities

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Current Law

- Service Duplication Act
 - Public Utilities Code §§ 1501-1507
 - Service by one entity in the established service area of another
 - Compensation for stranded costs
- Health & Safety Code § 6512
 - Authorizes sanitary districts to supply recycled water service in service of water purveyor under certain conditions

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Conflict Resolution Procedure

- Water Code §§13575 et seq.
 - Conflict resolution procedure between agencies to facilitate use of recycled water
 - Mediation if failure to resolve conflict
 - Untested